

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RODNEY DAUGHTREY

Appeal 2008-0202
Application 09/812,224
Technology Center 3600

Decided: June 17, 2008

Before ALLEN R. MACDONALD, *Acting Vice Chief Administrative Patent Judge*, and LEE E. BARRETT and LINDA E. HORNER, *Administrative Patent Judges*.

HORNER, *Administrative Patent Judge*.

ORDER REQUESTING SUPPLEMENTAL INFORMATION

Pursuant to 37 C.F.R. §§ 1.105 and 41.50(d), the Board requests that Appellant provide additional information which is considered relevant to examination of this application. *See Star Fruits S.N.C. v. U.S.*, 393 F.3d 1277 (Fed. Cir. 2005) (Patent and Trademark Office may in the course of examining patent applications require submission of "such

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information as may be reasonably necessary to properly examine or treat the matter").

The Appellant's Specification states:

This invention relates to travel planning tools.

Pricing of and combining airline fares to cover a traveler's itinerary requires checking to see if the fares of interest can be legally used, based on whether the rules associated with the fares allow them to be used for that particular itinerary. Fares and their associated rules are published by airlines and resellers, typically provided through an intermediary such as The Airline Tariff Publishing Company (ATPCO). Travel agents have computer-based tools that can be used to display the rules and restrictions for a particular fare. However, such tools are limited. For example, the tools are text-based and do not effectively convey information. For example, they often use cryptic text which can take a long time to understand and read through. Often such tools require an agent to navigate through several different interfaces.

(Spec. 1:3-17.)

Further, in the Reply Brief, the Appellant contends that "'fares' have a unique meaning, as disclosed in Appellant's specification" (Reply Br. 5, citing to Spec. 3:28 - 4:2). The cited portion of the Appellant's Specification provides:

For example, database 20a can store the Airline Tariff Publishing Company database of published airline fares and their associated rules, routings and other provisions, the so-called ATPCO database.

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The Board does not have access to information published by ATPCO or information about computer-based tools used to display the rules and restrictions for a particular fare.

ORDER

The Appellant is ordered to submit any information within Appellant's knowledge and control regarding the prior art described in the paragraphs quoted above. This information may include, but is not limited to, representative pages of printed publications and descriptions of known computer programs and interfaces.

Appellant is given ONE (1) MONTH to submit such information. This deadline is non-extendible. 37 C.F.R. § 41.50(d). Any response may be faxed directly to Dale Shaw at 571-273-4666.

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